

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE JAIRO GARCIA-GIRALDO,

Petitioner,

- against -

UNITED STATES OF AMERICA,

Respondent.

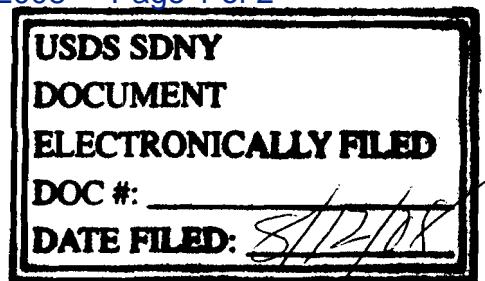
JOHN G. KOELTL, District Judge:

The Government has filed its response to the amended petition. In response, the petitioner has filed a motion to compel the production of documents and to extend the time within which he may reply to the Government's response.

The Government should respond to the petitioner's motion to compel the production of documents by **August 21, 2008**. The petitioner may reply by **September 2, 2008**.

The petitioner should reply to the Government's response to his amended petition by **September 23, 2008**. The petitioner should file his reply irrespective of whether the Court orders any discovery to be made.

A petitioner in a habeas corpus proceeding generally does not have a right to discovery unless the petitioner can show good cause. See Bracy v. Gramley, 520 U.S. 899, 904 (1997); Rule 6(a) of the Rules Governing Section 2255 Proceedings. The



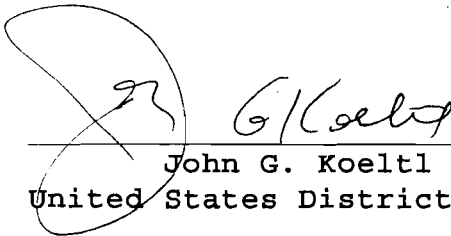
07 Civ. 9861 (JGK)
02 Cr. 706 (JGK)

ORDER

Court will consider all of the papers to determine if any discovery should be afforded.

SO ORDERED.

Dated: New York, New York
August 7, 2008



John G. Koeltl
United States District Judge